

### **REMARKS**

This paper, and the accompanying Request for Continued Examination (RCE), is responsive to a *Final Office Action* that issued in this case on November 17, 2009. In that *Action*, all pending claims were rejected as follows:

- (1) Claim 26 was rejected under 35 U.S.C. 101 for failing to recite statutory subject matter.
- (2) Claims 1, 17, and 18 were rejected under 35 U.S.C. 112 for being indefinite.
- (3) Claims 1-2 and 4-28 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,816,887 to Zimmers.

Responsive to the *Action*, claims 1, 8-10, 16, 17, 21, 22, 25, and 26 have been amended and claims 6-7, 19-20, and 27-28 have been canceled. Support for the amendment to independent claims 1 and 26 can be primarily found in paragraphs [0018], [0026], and [0027] of the Specification. Support for the amendment to independent claim 17 can primarily be found in paragraph [0030]. The applicants respectfully request reconsideration in light of the amendment and the following comments

#### **35 U.S.C. 101 Rejection of Claim 26**

Claim 26 was rejected under 35 U.S.C. 101 for failing to recite statutory subject matter. The Office pointed that the recitation of “article of manufacture comprising a machine readable medium” could be directed to a transmission medium.

In response, the applicants have amended claim 26 to recite “article of manufacture comprising a machine readable and **recordable** medium.” Because the limitation “recordable medium” excludes transmission media, which by definition are non-recordable, the applicants respectfully submit that the rejection of claim 26 is overcome.

**35 U.S.C. 112 Rejection of Claims 1, 17, and 26**

Claims 1, 17, and 26 were rejected under 35 U.S.C. 112 because the limitation “originating endpoint address” rendered the claims indefinite.

In response, the applicants have amended the claims to remove the offending limitation. For this reason, the applicants respectfully submit that the rejection of claims 1, 17, and 26 is overcome.

**35 U.S.C. § 102 Rejection of Claims 1-2 and 4-28**

Claims 1-2 and 4-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by S. Zimmers, U.S. Patent 6,816,878 (hereinafter “Zimmers”).

Amended claim 1 recites:

1. A method for comprising:  
receiving, at an event notification system, a communication for a recipient;  
generating, at the event notification system, a notification message, wherein the notification message includes information ***about a response that was dispatched for the received communication***; and  
***generating***, at the event notification system, ***a communication flow expression*** which contains at least one instruction concerning the transmission of the notification message;  
***executing the communication flow expression***, at the event notification system, and sending the notification message from the event notification system to a first recipient that is identified in the communication flow expression.  
*(emphasis supplied)*

Nowhere does Zimmers teach or suggest, alone or in combination with the other references, what claim 1 recites — namely:

- (1) generating a communication flow expression which contains an instruction concerning the transmission of the message, and
- (2) generating a notification message which includes information about a response that was dispatched.

Claim 1 has been amended to recite “***generating ...a communications flow expression***” and “***executing...a communication flow expression.***” These limitations are not anticipated by Zimmers.

The Specification discloses in paragraph [0018] that “[c]ommunication flows are characterized by communication flow expressions, success specifications, communication flow rules and parameters. A communication flow identifies the specific designees 120 that are to receive the notice, as well as how, when and where each designee 120 shall receive the message in accordance with the specified preferences of each designee 120.” (See paragraph [0018] of the Specification) Additionally, the Specification points to Application number 10/184,236 as discussing communication flow expressions in more detail. In particular, the latter application recites “communication flow expressions specify the recipients for a given request, and how, when and where each recipient shall receive the request.” (See Abstract of Application 10/184,236) In short, communication flow expressions allow the event notification to account for recipients’ preferences and add flexibility to the functioning of the notification system.

Zimmers does not disclose the use of communication flow expressions.

Additionally, claim 1 recites the limitation “**about response that was dispatched for the received communication.**” This limitation is not taught by Zimmers, either.

For example, and without limitation, a user may use the event notification system of claim 1 to report a gas leak in his neighborhood. The user can report the gas leak by sending a text message to the event notification system. Upon receiving the message, the system can take two actions.

First, the event notification system will dispatch a response to the message. (See task 315 of Figure 3 “*Dispatch Appropriate Response to Emergency If Necessary*”) In dispatching the response, the notification system will contact emergency personnel, such as the fire department, and inform them about the dangerous situation.

Second, the event notification system can send a notification message to the neighbor of the user who reported the gas leak. (See task 250 of Figure 3 “*Generate Notification Message...*”) The notification message will inform the neighbor of the danger. And also, the notification message will indicate that the fire department has been notified. The latter information is an example of “**information about a response that was dispatched for the received communication**” prior to the transmission of the notification message to the neighbor. (See paragraph [0025] “*notification message may indicate, the nature of the emergency, the emergency personnel that was dispatched...*”)

In the context of this example, the information about the dispatched response is useful because it will give the neighbor an assurance that the authorities have been notified. And also, it will prevent the neighbor from calling the fire department, thereby reducing the possibility of duplicate calls being made about the same emergency.

Zimmers fails to teach the above limitation. Zimmers discloses a system for providing alert notifications. However, Zimmers contains no disclosure of including **“information about a response that was dispatched for [a] received communication”** in the alert notifications which the Zimmers system distributes.

As a consequence, Zimmers does not anticipate claim 1 in its amended form.

Because 2, 4-16, 27, and 28 depend on claim 1, they are likewise allowable over Zimmers.

Claim 17, as amended, recites:

**17.** An apparatus comprising:  
a memory; and  
at least one processor, coupled to the memory, operative to:  
receive a communication for a recipient;  
generate a communication flow expression which contains at least one instruction concerning the transmission of a notification message, wherein:  
i. the communication flow contains an indication of a time of contact and an identification of recipient, and  
ii. the time of contact is a time at which the notification message is desired to be transmitted, and  
iii. the time of contact is in the future relative to the time at which the generation task is executed;  
execute the communication flow expression at the time of contact and send the notification message to the recipient as a result of the execution; and  
**wherein the execution task comprises substituting the identification of the recipient with contact information for that recipient.**  
*(emphasis supplied)*

Nowhere does Zimmers teach or suggest, alone or in combination with the other references, what claim 17, recites — namely executing a communication flow expression,

wherein the execution comprises ***substituting a recipient identification with contact information for that recipient.***

Claim 17 is directed to a feature of communication flow expression which is referred to in the specification as dynamic communication flow expression substitution. The feature allows the "binding of designee names to information in the designee preference database 400 [to be] delayed until the time of contact." (See paragraph [0030])

The dynamic substitution feature allows substitutions of information in communications flow expressions to be delayed until the time has come for the expressions to be executed. In this way, the present invention ensures that information that the most recent information available is inserted into the communication flow expressions. For instance, "the late binding aspect implies that a designee described as a role, such as the CEO company, can change until the system 101 begins its attempt to notify the CEO." (See paragraph [0030])

Zimmers, in contrast, mentions nothing about communication flow expressions, let alone an arrangement in which the execution of a communications flow expression comprises substituting the identification of a recipient with contact information for that recipient.

As a consequence, Zimmers does not anticipate claim 17 in its amended form.

Because 18-25 depend on claim 1, they are likewise allowable over Zimmers.

Like claim 1, claim 26 contains the limitation "the notification message includes information about a response that was dispatched for the received communication." So for the reasons discussed above with respect to claim 1, claim 26 is not anticipated by Zimmers.

**Request for Reconsideration Pursuant to 37 C.F.R. 1.111**

Having responded to each and every ground for objection and rejection in the last Office action, applicants respectfully request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

If there are remaining issues, the applicants respectfully request that Examiner telephone the applicants' attorney so that those issues can be resolved as quickly as possible.

Respectfully,  
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